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The Honorable Charles Djou, Chairman and
Committee Members
Committee on Zoning, Honolulu City Council
530 S. King Street, 2nd Fl.
Honolulu, HI 96813

Re: Bill 86 (2006) Honolulu High-Capacity Transit Corridor Project

Dear Chair Djou and Committee Members:

My name is Danton Wong, and I am the attorney for the DeBartolo Group, the developer of the proposed regional shopping center in Kapolei that is a part of the Department of Hawaiian Homes Lands (DHHL) commercial development.

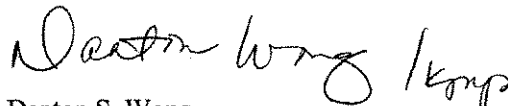
On behalf of my client, I would like to express our concern regarding Bill 86. The proposed ordinance requires that no permits for grading, building or other applicable permits be issued and no applications for zoning changes be accepted for a twelve-month period or until the enactment of a TOD ordinance that regulates land use, which ever occurs first.

We understand the need to regulate land use and to prudently plan the areas around the transit line. However, we feel that this proposed ordinance goes beyond what would be considered wise public policy. The passage of this measure would have profound impact upon anyone who is planning on building or developing land near the proposed transit line. For example, shopping center projects such as ours which are already in discussions with potential tenants and lenders will have to delay making any binding commitments until the promulgation of Transit Oriented Development regulations in order to ensure that the development itself and tenants' use are permitted. The imposition of a moratorium would delay our efforts to secure tenants and to build the center in a timely fashion as required by the Department of Hawaiian Home Lands.

We respectfully request that the members of this committee consider holding this measure in committee. Land use policy for the future needs to be clear, sound and provide for immediate as well as future growth of the areas affected; however, putting a moratorium on development in order to preserve the status quo until regulations can be developed adds significant uncertainty and an additional time factor to the development process which jeopardizes on-going and near term projects. Thank you for this opportunity to testify.

Very truly yours,

CHUN, KERR, DODD, BEAMAN & WONG,
a Limited Liability Law Partnership


for Danton S. Wong

Misc. Com. No. 1958

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